

ABSTRACT

Public Servants – Transport Department - Departmental Proceedings initiated against Sri.Abdul Munaf, the then Motor vehicles Inspector (now Retired), O/o, DTC, Ongole, Prakasam District – Enquiry conducted - Imposition of punishment of 5% cut in Pension for a period of two years – Orders – Issued.

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TRANSPORT ROADS AND BUILDINGS (VIG-TR) DEPARTMENT

G.O.RT.No.104

Dated:18.04.2022.

Read the following:

1. Proceedings of Transport Commissioner, AP, Hyderabad, R.No.1052/C4//2003, dt.6.4.2006.
2. Orders of Hon'ble Tribunal dt.26.11.2009 in O.A.No.2734/2006 filed by Sri Abdul Munaf, MVI
3. Judgment of Hon'bl High Court of Andhra Pradesh dt.16.4.2010 in W.P.No.8372/2010 filed by the Department
4. G.O.Rt.No.24, TR&B(Vig.III)Dept, dt.05.01.2011.
5. Charge Memo.No.1052/V4/2003, dt.07.06.2011 of the Transport Commissioner, A.P., Hyderabad.
6. Explanation of Sri.Abdul Munaf, MVI (Retired) dt..19.6.2011.
7. R.No.1052/V4/2003-1,dt.20.08.2013 of the TC, A.P., Hyderabad.
8. From Sri M.Basi Reddy, DTC, Kadapa & Enquiry Officer ,letter No.68/A1/2019, dt.18.5.2019.
9. From the Transport Commissioner,A.P.,Vijayawada,LrNo.1052/V4/2003, dt:30.09.2019.
- 10.Govt.Memo.No.TRNSOCTRA(MAPP)/2/2020-VIG-TR(Com.No.1081298), dt.31.1.2020
11. Proceedings of Transport Commissioner, A.P., Vijayawada,R.No.1052/V4/2003, dt:26.02.2020.
12. Representation from Sri Abdul Munaf, MVI(Retd),dt.12.03.2020 addressed to Transport Commissioner.
13. From the TC, A.P.,Vijayawada,Lr.No.1052/V4/2003, dt:08.06.2020.
- 14.Govt.Memo.No.TRB01-TRNSOCTRA(MAPP)/2/2020-VIG-Tr(1081298) Dated:09.12.2020.
- 15.Representation from Sri Abdul Munaf, MVI(Retired)dt.25.02.2021 & 11.03.2021.
- 16.From the TC,AP, Lr.No,1052/V4/2003e-office 20022/5/2019, dt.26.11.2021
- 17.From the Secretary, Andhra Pradesh Public Service Commission, Lr.No.588/DC& C/2021, dt.21.03.2022.

ORDER:

Sri. Abdul Munaf, Motor Vehicles Inspector (Retired), while working as MVI at Markapuram, Prakasam District committed certain grave irregularities in fixation of GVW in respect of 11 goods Vehicles. The Transport Commissioner, A.P., had imposed the punishment of stoppage of four increments with cumulative effect vide reference 1st read above. The said punishment was set aside by the Hon'ble AP Administrative Tribunal vide its order 2nd read above in OA No.2734/2006 while observing that the Charge Memo of TC, dt.17.02.2003 is not in accordance with rules and there cannot be any punishment basing on the said Charge Memo and also held that this will not prevent the respondent to proceed in accordance with the rules if they so desire. Aggrieved by the said orders of Hon'ble Tribunal, the Department has filed W.P.No.8372/2010 and the Hon'ble High Court of A.P. in its orders 3rd read above dismissed the W.P. Accordingly, Govt., vide G.O. 4th read above rescinded the proceedings of Transport Commissioner 1st read above, wherein the punishment was imposed, so as to enable the Disciplinary Authority to initiate disciplinary proceedings afresh against Sri Abdul Munaf. A Charge memo was issued afresh vide reference 5th cited and disciplinary proceedings were initiated against Sri.Abdul Munaf, Motor Vehicle Inspector (Retd) under Rule 20 of the APCS(CCA) Rules, 1991 read with 9(2) (a) and Rule 9(6) (a) of APRPS Rules.1980.

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2. As the explanation submitted by the Charged Officer in the reference 6th read above was not convincing, the Transport Commissioner, Andhra Pradesh has appointed Inquiry Officer, vide proceedings 7th read above. The Inquiry officer, submitted his report vide reference 8th read above. The Enquiry Officer has concluded that the charges framed against Sri Abdul Munaf, MVI (Retd) as "proved".
3. The Inquiry Report was communicated to Sri. Abdul Munaf, MVI (Retd) vide reference 10th read above. In this regard, he has submitted his representation, in the reference 12th read above requesting to exonerate from the Charges against him.
4. After examining the representation of the charged officer, Government have taken a provisional decision to impose a punishment of cut of 5% in the pension payment for a period of 2 years on Sri Abdul Munaf, MVI (Retd) and issued show cause notice for his explanation vide memo 14th read above. The Charged Officer has submitted further representation in the reference 15th read above, on show cause notice. As this is found not satisfactory, it has been decided to confirm the proposed punishment of 5% cut in the pension payment for a period of 2 years on Sri. Abdul Munaf, MVI (Retd).
5. Government, after due consultation of Andhra Pradesh Public Service Commission (APPSC), have decided to impose punishment of 5% cut in the pension payment for a period of 2 years against Sri. Abdul Munaf, MVI (Retd).
6. Accordingly Government hereby impose the punishment of 5% cut in the pension payment for a period of 2 years against Sri. Abdul Munaf, the then MVI (now Retd), O/o DTC, Ongole, Prakasam District.
7. The Transport Commissioner, Andhra Pradesh, Vijayawada shall take further action in the matter accordingly under intimation to the Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.T. KRISHNA BABU
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Individual through the Transport Commissioner, Andhra Pradesh, Vijayawada.

The Transport Commissioner, Andhra Pradesh, Vijayawada.

Copy to:

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Vijayawada.

The Secretary, Andhra Pradesh Public Service Commission, Vijayawada.

SE/SC

//FORWARDED::BY ORDER//

N. Chandrababu Naidu
SECTION OFFICER
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